

Mr. Flanagan moved to lay the motion on the table—lost by the following vote :

YEAS—Messrs. Allen, Armstrong, Burroughs, Flanagan, Grimes, Lott, McCulloch, Martin, Pedigo, Taylor of Cass, Taylor of Houston, Truit, Weatherford, and Wren—14

NAYS—Messrs. Bryan, Caldwell, Guinn, Hill, Hord, McDade, Maverick, Millican, Palmer, Pirkey, Potter, Superviele, Taylor of Fannin, Whitaker, and White—16.

The amendment was then adopted by the following vote :

YEAS—Messrs. Bryan, Caldwell, Guinn, Hill, Hord, McDade, Maverick, Millican, Palmer, Pirkey, Potter, Superviele, Taylor of Fannin, Whitaker, and White—15.

NAYS—Messrs. Allen, Armstrong, Burroughs, Flanagan, Grimes, Lott, McCulloch, Martin, Taylor of Cass, Taylor of Houston, Truit, Weatherford, and Wren—13.

On motion of Mr. Scott, the bill was amended, by striking out "1st Oct., 1856," and inserting "Jan. 1st, 1857," in lieu thereof.

Mr. Palmer offered a bill amendatory of, and supplemental to an act to provide for the construction of the Mississippi and Pacific Railroad, approved Dec. 21st, 1853, as a substitute for the bill.

On motion of Mr. Whitaker, the Senate adjourned till tomorrow morning, at 8 o'clock.

TUESDAY, Aug. 12th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called, quorum present.

The journal of yesterday was read and adopted.

Mr. Whitaker, chairman of the Committee on Private Land Claims No. 2, made the following report :

The Committee on Private Land Claims No. 2, to which was referred the House bills for the relief of James Morrison, James W. Taylor, and Swen Bergstrom, have examined the same. The evidence, in respect to the first two, is sufficient to warrant the granting of the relief sought. In regard to the last bill, the Committee have been forced to rely on the statement of the chairman (Cleveland) of the House Committee No. 2 on Private Land Claims, as to the facts, which he affirms, from his own knowledge, to be as stated. I am there-

fore instructed to report the bills back, and recommend their passage.

Mr. Guinn, chairman of the Committee on Engrossed Bills, reported

A bill to permit Brazoria county to levy a special tax ;

A bill to incorporate the Yegua Turnpike and Bridge Company ; and

A bill authorizing the Commissioner of Claims to employ an additional Clerk, correctly engrossed.

Mr. Hill, chairman of the Committee on Claims and Accounts, to which was referred a bill for the relief of Zacariah Bottoms, reported the same back, and asked to be discharged from its further consideration.

On motion of Mr. Guinn, the rule was suspended, report and bill taken up, and the report adopted.

A message was received from the House, informing the Senate that the House had passed the following bills, originating in that body :

A bill for the relief of John Vanhagen ;

A bill to consolidate into one, and to amend the several acts incorporating the city of Galveston ;

A bill for the relief of Willis Collins and others ;

A bill for the relief of P. G. Moffatt ;

A bill for the relief of the heirs of Martin Murchison, deceased.

A bill for the relief of the heirs of Mathias Wilbarger, deceased ;

A bill to restore John Robinson to credit ;

A bill to establish a causeway across the Neches River Swamp, in Orange county ;

A bill attaching a portion of Falls county to Bell county ; and

A bill to legalize surveys made in Hunt county, by John Grainger, between the 1st of Aug., '51 and '52.

Also, originating in the Senate :

A bill for the relief of G. W. L. Haynes ; and

A bill for the relief of F. R. Lubbock.

On motion of Mr. Hord, the report of the Committee on Internal Improvements, on a bill supplementary to an act to incorporate Corpus Christi, offering a substitute therefor, was taken up, read, and the substitute adopted.

On motion of Mr. Hord, the bill was amended, by adding

at the end of section 4, "said certificates shall not be located upon any previously titled land."

Mr. Flanagan offered the following amendment:

"Amend by granting to the Corporation of Corpus Christi, 96 sections of land certificates to be appropriated by said Corporation for the improvement of any bay that may be in the vicinity of said Corpus Christi."

On motion of Mr. Hord, laid on the table.

Mr. Guinn moved to amend by striking out "16 sections," and inserting "8 sections"—lost.

On motion of Mr. Potter, the bill was amended by striking out the 4, 5, and 6 lines in section 4, page 3, and inserting "The certificates granted under the provisions of this act shall be located, mapped and returned, as provided in an act entitled An act to encourage the construction of railroads in Texas, by donations of land, approved Jan. 30th, 1853."

The bill was then ordered to be engrossed.

On motion of Mr. Hord, the rule was suspended, bill read 3d time, and passed by the following vote:

YEAS—Messrs. Allen, Armstrong, Bryan, Caldwell, Grimes, Hill, Hord, McCulloch, McDade, Martin, Maverick, Palmer, Pedigo, Potter, Superviele, Taylor of Houston, Truit, Weatherford, and White—19.

NAYS—Messrs. Burroughs, Flanagan, Guinn, Millican, Pirkey, Taylor of Cass, Whitaker, and Wren—8.

On motion of Mr. Allen, a bill for the relief of pre-emption settlers, was taken up, read, and passed to a 3d reading.

On motion of Mr. Allen, the rule was suspended, bill read 3d time, and passed.

On motion of Mr. Hill, a House bill for the relief of John Vanhagen, was taken up, and read 1st time.

On motion of Mr. Hill, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

The following communication was received from the House.

EXECUTIVE OFFICE,
AUSTIN, Texas, 9th August, 1856.

Gentlemen of the Senate,

and House of Representatives.

The large appropriations of money, which were payable at the State Treasury, after the adjournment of the Legislature, in February last, exhausted all the coin in the Treasury, and

some means had to be resorted to for procuring coin, or the Treasury had to stop payment, until a sale could be effected of United States bonds, under the provisions of an act approved Feb. 6th, 1852, authorizing the sale of a portion of these bonds, which required at least two months.

Under these circumstances, the Treasurer obtained such an amount of coin as he could, by private loans, but this proved insufficient, and to prevent a stoppage of payments at the Treasury, the Comptroller, with my approval, entered into an agreement with Messrs. Swenson and Swisher, by which they were to furnish at least one hundred thousand dollars in coin, to the Treasurer, as it might be needed, previous to the time when a sale could be made of United States bonds.

In order that the State should not be chargeable with interest, upon the coin advanced, Messrs. Swenson and Swisher were furnished with United States bonds corresponding to the coin advanced, for which they were to allow a premium equal to the highest bid for said bonds, at the sale to be thereafter made, under the act before referred to.

To carry out this arrangement, Mr. Swenson went immediately from this place to New Orleans, and brought out the requisite amount of coin, and he furnished the State with \$120,000, at different times between the 9th of Feb. and the 22d of March last.

At the time this arrangement was entered into, it was agreed that the compensation to Messrs. Swenson and Swisher, for their services and expenses, should be left for the action of the Legislature, upon a representation of the facts.

I submit herewith a statement from the State Treasurer and a memorial from Messrs. Swenson and Swisher, concerning the transaction.

This communication has been delayed until this late period of your session, with the hope that the Comptroller would return in time to join in representing the facts to your Honorable Bodies, but as it is now probable that he will not return until about the period of your adjournment, when it will be too late to act upon it, it has been thought best not to delay it any longer.

This transaction is submitted to your consideration, with the recommendation that a Joint Committee, of the two Houses, be appointed to investigate the facts concerning it, and that provisions be made for the compensation of Messrs. Swenson and Swisher.

E. M. PEASE.

On motion of Mr. Potter, the communication was referred to a Select Joint Committee.

Messrs. Grimes, Caldwell, and Taylor of Cass, were appointed the Committee, on the part of the Senate, upon the communication.

The Senate concurred in the amendments of the House to a bill for the relief of John P. Rohers.

Mr. Taylor of Cass, introduced a bill to authorize the location, settlement, and sale of that portion of the Mississippi and Pacific R. R. Reserve, lying east of the Brazos River—read 1st and 2d times, and

On motion of Mr. Weatherford, referred to a Select Committee of five.

The President appointed Messrs. Weatherford, Taylor of Houston, Maverick, Wren, and White, the Select Committee.

On motion of Mr. Taylor of Fannin, the report of the Committee on Public Debt, on a bill making an appropriation for the payment of a portion of the public debt of the late Republic of Texas, offering "A bill for the relief of Jonathan F. Hobbs," as a substitute therefor, was read, and substitute adopted.

Mr. Taylor of Fannin, offered "A bill for the relief of certain persons therein named," as a substitute for the bill—adopted, the bill read 2d time, and ordered to be engrossed.

On motion of Mr. Taylor of Fannin, the rule was suspended, bill read 3d time, and passed.

On motion of Mr. McCulloch, a bill for the relief of Ferdinand F. Lindheimer, was taken up, read 2d time, and passed to 3d reading.

On motion of Mr. McCulloch, the rule was further suspended, bill read 3d time, and passed.

On motion of Mr. Potter, the House bills on their 1st reading were taken up, read and referred to appropriate committees, as follows:

A bill for the relief of Seth Hazel—read 1st time.

On motion of Mr. Hill, the bill read 2d time, and referred to Committee on Public Lands.

A bill to incorporate the town of New Salem—read 1st time.

On motion of Mr. Flanagan, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

A bill for the relief of James Wall—read 1st time.

On motion of Mr. Caldwell, the bill was read 2d time, and referred to the Committee on Claims and Accounts.

A bill for the relief of Schuyler B. Skidmore—read 1st time.

On motion of Mr. Wren, the bill was read 2d time, and referred to the Committee on Private Land Claims No. 1.

A bill for the relief of John L. Whitman—read 1st time.

On motion of Mr. Guinn, the bill was read 2d time, and referred to Committee on Public Lands.

A bill for the relief of H. J. Dewitt, Josiah W. Dewitt, and the heirs and legal representatives of Thos. J. Fowle—read 1st time.

On motion of Mr. McCulloch, the bill was read 2d time, and referred to the Committee No. 2 on Private Land Claims.

A bill for the relief of the heirs of Robt. Davidson, dec'd—read 1st time.

On motion of Mr. Caldwell, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

A bill to incorporate the town of Montgomery—read 1st time.

On motion of Mr. Grimes, the rule was suspended, bill read 2d time, and referred to the Committee on the Judiciary.

A bill for the relief of certain persons therein named—read 1st time.

On motion of Mr. Superviele, the rule was suspended, bill read 2d time, and referred to the Committee on Private Land Claims No. 2.

A bill for the relief of certain persons therein named—read 1st time.

On motion of Mr. Bryan, the rule was suspended, bill read 2d time, and referred to the Committee on Private Land Claims No. 1.

A bill to incorporate the Institution of St. Mary, at Galveston—read 1st time.

On motion of Mr. Potter, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed by the following vote :

YEAS—Messrs. Allen, Caldwell, Flanagan, Grimes, Guinn, Hill, Lott, McDade, Martin, Maverick, Millican, Palmer, Pedigo, Pirkey, Potter, Scott, Superviele, Taylor of Cass, Taylor of Houston, Truit, Whitaker, White, and Wren—23.

NAYS—Mr. Burroughs—1.

Mr. Taylor of Cass, from the Committee on Enrolled Bills, reported

A bill for the relief of G. W. L. Haynes; and

A bill for the relief of F. R. Lubbock, correctly enrolled, properly signed, and this day presented to the Governor.

A bill to incorporate the town of Paris—read 1st time.

Rule suspended, bill read 2d time.

Mr. Wren offered the following amendments:

Amendment 1st. Strike out of section 9, the words "is not either a landholder or owner of real estate, within the boundaries of said Corporation."

Amend. 2d. Strike out the words "regulating the markets" in 9th line of section 11, and "alleys" in 11th line of same section.

Amend. 3d. Strike out 17th section.

Adopted.

The bill was then passed to 3d reading.

On motion of Mr. Wren, the rule was further suspended, bill read 3d time, and passed.

On motion of Mr. Scott, the vote passing a bill for the relief of the heirs of Robt. Davidson, was reconsidered, and the bill referred to the Committee on Public Lands.

A bill to incorporate the town of Helena, in Karnes county—read 1st time.

Rule suspended, bill read 2d time, and passed to 3d reading.

On motion of Mr. White, the rule was further suspended, bill read 3d time, and passed.

A bill to incorporate the Galveston Gas Company—read 1st time.

Rule suspended, and bill read 2d time.

On motion of Mr. Bryan, the 6th section of the bill was stricken out.

On motion of Mr. Bryan, the rule was further suspended, bill read 3d time, and passed by the following vote:

YEAS—Messrs. Allen, Armstrong, Bryan, Caldwell, Flanagan, Guinn, Hill, Lott, McCulloch, Maverick, Millican, Pedigo, Pirkey, Scott, Superviele, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Truit, Whitaker, and White—21.

NAYS—Mr. Burroughs—1.

A message was received from the House, informing the Senate that the House had passed the following bills, originating in that body:

A bill for the relief of R. F. Millard's heirs, and the widow and heirs of Sam'l P. Carson ;

A bill for the relief of Rees D. Price ;

A bill for the relief of Anthony Miller ;

A bill for the relief of Patrick O'Donnell ;

A bill to incorporate Caldwell Lodge No. 48, of I. O. O. F. ;

A bill to incorporate the town of Fairfield ;

A bill to validate the acts of L. S. McMicken, as Deputy Clerk of Polk county ;

A bill to authorize the Commissioner of the General Land Office to issue a patent to Alex. Lacy, assignee of David McIver ;

A bill to create a precinct in Goliad county ;

A bill to authorize a patent to issue upon the certificate of Alfred Atkinson ;

A bill to relinquish the right of the State to certain lands therein named ;

A bill for the relief of Jno. Harwood, E. J. Blair, and the heirs of John P. Murphrell, deceased ; and

A bill donating one league of land to Ramon Ortez.

A bill defining the time of holding Courts in the 5th Judicial District—read 1st and 2d times, and referred to the Committee on the Judiciary.

Mr. Taylor of Houston, from the Committee on Engrossed Bills, reported

A bill to donate land to certain persons therein mentioned, for the improvement of the channel between Corpus Christi and Aransas Pass ; and

A bill for the relief of certain persons therein named, correctly engrossed.

A bill authorizing John Mooney to construct a dam across the San Marcos River—read 1st time.

On motion of Mr. McCulloch, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed by the following vote :

YEAS—Messrs. Allen, Armstrong, Bryan, Caldwell, Flanagan, Guinn, Hill, McCulloch, McDade, Palmer, Pedigo, Pirkey, Scott, Superviele, Taylor of Houston, Truit, Weatherford, and Whitaker—18.

NAYS—Messrs. Burroughs, Grimes, Maverick, Millican, Taylor of Cass, and White—6.

A bill for the relief of the heirs of Mrs. Mary Hamilton—

read 1st and 2d times, and referred to the Committee on Private Land Claims No. 2.

A bill to incorporate the town of Moscow and define the powers of said corporation—read 1st time.

On motion of Mr. Pedigo, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

A bill for the relief of John Parsons—read 1st and 2d times, and referred to the Committee on Private Land Claims No. 2.

Mr. Armstrong moved to adjourn till 8 o'clock, to-morrow morning—lost.

On motion of Mr. Taylor of Cass, the Senate adjourned till 5 o'clock, P. M.

5 O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill for the relief of the heirs of Antonio Fuentes, dec'd.—read 1st time.

On motion of Mr. Maverick, the rule was suspended, bill read 2d time, and referred to the Committee on Private Land Claims No. 2.

A bill making appropriation for defraying the expenses of the State Penitentiary—read 1st and 2d times, and

On motion of Mr. Grimes, referred to the Committee on the Penitentiary.

A bill to authorize the Commissioner of the General Land Office to issue a patent to Alex. Lacy, assignee of David McIver—read 1st and 2d times, and

On motion of Mr. Grimes, referred to the Committee on Private Land Claims No. 1.

A bill for the relief of Solomon Wideman—read 1st and 2d times, and referred to the Committee on Private Land Claims No. 2, on motion of Mr. Guinn.

A bill to amend the ninth section of an act, entitled An act concerning free persons of color, approved Feb. 5th, 1840—read 1st time.

On motion of Mr. Potter, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

Joint resolution making Corpus Christi a port of entry—read 1st time.

On motion of Mr. Potter, the rule was suspended, and bill read 2d time.

On motion of Mr. Potter, the joint resolution was amended

by striking out "enacted," in the first section, and inserting "resolved."

The bill was then passed to 3d reading.

The rule was further suspended, bill read 3d time, and passed.

A bill to consolidate into one, and to amend, the several acts incorporating the city of Galveston—read 1st time.

A bill amending, and supplementary to an act amending, and supplementary to an act to incorporate the Henderson and Burkville Railroad Company—read 1st and 2d times, and

On motion of Mr. Taylor of Cass, referred to the Committee on Internal Improvements.

A message was received from the House, informing the Senate that the House had passed the following bill, originating in that body :

A bill to create the county of Hardin.

Also, the following bills, originating in the Senate :

A bill for the relief of Powhatan Archer ; and

A bill to authorize the County Clerk of Houston county to transcribe the mark and brand book of said Houston county, and index the same.

Mr. Allen, chairman of the Committee on Enrolled Bills, reported correctly enrolled, properly signed, and this day presented to the Governor :

A bill for the relief of John Vanhagen ;

" " " " Elizabeth Tally ;

" " " " the heirs of Edgar W. Sanders ;

" " " " the heirs of Alfred Benton ;

" " " " John P. Rohers ;

A bill to make valid certain surveys made in the county of Henderson ; and

A bill for the relief of F. F. Lindheimer.

A bill to relinquish the right of the State to certain lands herein named—read 1st time.

A bill to amend the 8th section of an act to encourage the construction of railroads in Texas, by donation of lands, approved Jan. 30th, 1854—read 1st and 2d times, and referred to the Committee on Internal Improvements.

A bill for the relief of R. F. Millard's heirs, and the widow and heirs of Sam'l P. Carson—read 1st and 2d times, and referred to the Committee on Private Land Claims No. 2.

A bill for the relief of Wm. B. Jordan's heirs—read 1st and 2d times, and referred to the Committee on Private Land Claims No. 2.

A bill to legalize surveys made in Hunt county, by Jno. Grainger, between the 1st day of Aug., '51 and '52—read 1st and 2d times, and referred to the Committee on Public Lands.

A bill attaching a portion of Falls county, including Elm Creek, to Bell county—read 1st and 2d times, and referred to the Committee on County Boundaries.

A bill to establish a causeway across the Neches River Swamps, in Orange county—read 1st time.

On motion of Mr. Pedigo, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time and passed by the following vote :

YEAS—Messrs. Armstrong, Caldwell, Flanagan, Grimes, Guinn, Hill, Lott, McCulloch, Martin, Maverick, Millican, Palmer, Pedigo, Pirkey, Potter, Scott, Superviele, Taylor of Cass, Taylor of Houston, Truit, Weatherford, and Whitaker—22.

NAYS—Mr. Burroughs—1.

A bill for the relief of the heirs of Mathias Wilbarger, dec'd.—read 1st time.

On motion of Mr. Armstrong, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

A bill for the relief of the heirs of Martin Murcheson, deceased—read 1st and 2d times, and referred to the Committee on the Judiciary.

A bill for the relief of P. G. Moffatt—read 1st and 2d times and referred to the Committee on Private Land Claims No. 2.

A bill for the relief of Willis Collins and other persons therein named—read 1st and 2d times, and referred to the Committee on Private Land Claims No. 1.

A bill to restore John Robinson to credit—read 1st and 2d times, and referred to the Committee on the Judiciary.

A bill donating one league of land to Raymon Ortey—read 1st time.

On motion of Mr. Potter, the rule was suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed by the following vote :

YEAS—Messrs. Armstrong, Bryan, Caldwell, Flanagan, Grimes, Hill, Lott, McCulloch, Martin, Maverick, Palmer, Pedigo, Pirkey, Potter, Scott, Taylor of Cass, Taylor of Houston, and White—18.

* NAYS—Messrs. Burroughs, Guinn, Millican, and Truit—4.
On motion of Mr. Taylor of Cass, the Senate adjourned till 8 o'clock, to-morrow morning.

WEDNESDAY, August 13th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Hill, chairman of the committee on Claims and Accounts, to which was referred a House bill for the relief of John Parsons, reported the same back and recommended its passage.

Mr. Lott, chairman of the committee on the Penitentiary, to which was referred A bill making appropriation for defraying the expenses of the State Penitentiary, reported the same back and recommended its passage.

Mr. Armstrong, from the Judiciary committee, to which was referred A bill to incorporate the Texas Insurance and Saving Fund Association; reported the same back with the following amendments and recommended the adoption of the amendments, and the passage of the bill:

Amendment 1st. Strike out the pre-amble.

“ 2nd “ “ in 5th section, all after the word “vote.”

Amendment 3rd. Strike out the 7th section.

Mr. Armstrong, from the committee on Public Lands, to which was referred A bill to reclaim certain overflowed lands lying in Soda Lake bottom; reported the same back, and recommended its passage.

Mr. Scott, chairman of the committee on Public Lands, to which were referred the following petitions, viz:

The petition of James and Lewis Jones.

“ “ “ Alex. Morrow.

“ “ “ Sherwood Roland.

“ “ “ Sundry citizens of Ellis county.

“ “ “ Nedom Thompson.

“ “ “ the heirs of Jesse Watson, dec'd.

“ “ “ Hofferman Duckhith and Junker.

“ “ “ Mary Jackson; and

A bill for the relief of D. D. Baker, assignee of George Butler.